

Message Text

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ORIGIN PM-03

INFO OCT-01 AF-06 EUR-12 ISO-00 L-03 OC-05 CCO-00 CIAE-00

INR-07 NSAE-00 NSC-05 SP-02 SS-15 SSO-00 NSCE-00

INRE-00 /059 R

DRAFTED BY AF/I:JAANDEREGG;PM/ISO:CAPT FLENTJ

APPROVED BY PM/ISO:GCHURCHILL

AF/C:RSTRAND (SUBS)

SAFUSI:LTCOL PLOWDEN

DOD/ISA:MR. MULLEN

PM/ISO:MR. HAGERTY

L/PM - MR. BOREK

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O R 202122Z JUN 75

FM SECSTATE WASHDC

TO AMEMBASSY KINSHASA IMMEDIATE

AMCONSUL JOHANNESBURG

INFO AMEMBASSY PRETORIA

AMEMBASSY MONROVIA

AMEMBASSY LISBON

OASD/ISA

CSAF

MAC SCOTT AFB IL/DO

21 AF MCGUIRE NJ/D

C O N F I D E N T I A L STATE 145746

E.O. 11652: GDS

TAGS: PFOR, CG, US, MILI, EAIR, SF, LI, PO

SUBJECT: MAC FLIGHT

REF: KINSHASA 5393

1. UNDER USUAL INTERNATIONAL PRACTICES, WE WOULD
NORMALLY HAVE NO OBJECTION TO ZAIRIAN CUSTOMS CONTROL
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OF GOODS INTENDED FOR KINSHASA, ONCE THEY HAVE BEEN

UNLOADED BY AMERICAN PERSONNEL. HOWEVER, INTERNATIONAL PRACTICE ALSO DICTATES THAT ZAIRIAN PERSONNEL ARE NOT AUTHORIZED TO BOARD AIRCRAFT NOR TO INSPECT CARGO BOUND FOR DESTINATIONS OTHER THAN ZAIRE. THIS PRACTICE FOLLOWS FROM PRINCIPLE OF INTERNATIONAL LAW THAT A STATE AIRCRAFT, SUCH AS MAC FLIGHT, IS IMMUNE FROM SEARCH, SEIZURE, AND INSPECTION. WE DO NOT WISH MAC FLIGHT TO KINSHASA TO BE INSPECTED AS THIS WOULD BE CONTRARY TO INTERNATIONAL PRACTICE AND WOULD SET UNDESIRABLE PRECEDENT.

2. IF EMBASSY BELIEVES THAT THERE IS ANY QUESTION ABOUT GOZ'S WILLINGNESS AND ABILITY TO RESPECT INTERNATIONAL PRACTICES AS DESCRIBED ABOVE, EMBASSY IS REQUESTED AT ITS DISCRETION, TO SEEK CLARIFICATION FROM GOZ, REPORTING RESULTS ASAP.

3. IF YOU HAVE NOT BEEN INFORMED IN OTHER CHANNELS, THE REASON FOR THE CANCELLING OF THE RETURN FLIGHT FROM JOHANNESBURG 20 JUNE WAS ILLNESS OF BOTH NAVIGATORS. AIRCRAFT AT THIS MOMENT IS STILL IN JOBURG. IN ABSENCE OF ASSURANCES ON QUESTION DISCUSSED IN PARAS ONE AND TWO ABOVE" FLIGHT WILL NOT RPT NOT STOP IN KINSHASA ON RETURN TRIP. UNLESS ASSURANCES ARE SUBSEQUENTLY PROVIDED FUTURE FLIGHTS WILL BYPASS KINSHASA. KISSINGER

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Message Attributes

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Draft Date: 20 JUN 1975
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: greeneet
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
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Drafter: JAANDEREGG;PM/ISO:CAPT FLENTJ
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Handling Restrictions: n/a
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Margaret P. Grafeld
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EO Systematic Review
06 JUL 2006

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Secure: OPEN
Status: NATIVE
Subject: MAC FLIGHT
TAGS: PFOR, MILI, EAIR, CG, US, SF, LI, PO
To: KINSHASA JOHANNESBURG
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